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6           UNITED STATES DISTRICT COURT  
7           WESTERN DISTRICT OF WASHINGTON  
8           AT TACOMA

9 KATHLEEN A. CHAPMAN,

10           Plaintiff,

11 v.

12 CAROLYN W. COLVIN, Acting  
13           Commissioner of Social Security,

14           Defendant.

15           CASE NO. C14-5078 BHS

16           ORDER ADOPTING REPORT  
17           AND RECOMMENDATION

18       This matter comes before the Court on the Report and Recommendation (“R&R”)  
19       of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 24), and  
20       Plaintiff Kathleen Chapman’s (“Chapman”) objections to the R&R (Dkt. 25).

21       On September 24, 2014, Judge Strombom issued the R&R recommending that the  
22       Court affirm the Administrative Law Judge’s (“ALJ”) decision that Chapman was not  
23       disabled. Dkt. 24. On October 8, 2014, Chapman filed objections. Dkt. 25. On October  
24       22, 2014, the Government responded. Dkt. 26.

1       Federal Rule of Civil Procedure 72(b) governs objections to a magistrate judge's  
2 recommended disposition. Rule 72(b) provides as follows:

3                 The district judge must determine de novo any part of the magistrate  
4 judge's disposition that has been properly objected to. The district judge  
5 may accept, reject, or modify the recommended disposition; receive further  
evidence; or return the matter to the magistrate judge with instructions.

5 Fed. R. Civ. P. 72(b)(3).

6                 Chapman objects to Judge Strombom's recommended disposition on three  
7 grounds. Dkt. 25. First, Chapman argues that the ALJ failed to address a work activity  
8 questionnaire completed by her former supervisor, Kathleen Forman ("Forman"). *Id.* at  
9 1. Second, Chapman contends that the ALJ erroneously relied on the vocational expert's  
10 testimony. *Id.* at 4. Finally, Chapman argues that the ALJ erred in assessing her residual  
11 functional capacity ("RFC"). *Id.* at 5.

12                 Chapman repeats the arguments that she raised in her opening and reply briefs.  
13 *See* Dkts. 18, 23. Judge Strombom thoroughly and properly addressed all of these  
14 arguments in the R&R. *See* Dkt. 24. First, Forman's questionnaire did not address  
15 Chapman's symptoms or how her impairments affected her ability to work. *Id.* at 12–13.  
16 Additionally, the vocational expert identified a job that Chapman was capable of  
17 performing. *Id.* at 8–12. Finally, the ALJ's assessment at step three is separate and  
18 distinct from the ALJ's assessment of RFC. *Id.* at 4–6. The Court agrees with Judge  
19 Strombom's analysis and conclusion in this case.

20                 Therefore, the Court having considered the R&R, Chapman's objections, and the  
21 remaining record, does hereby find and order as follows:  
22

- (1) The R&R is **ADOPTED**;
- (2) The ALJ's decision is **AFFIRMED**; and
- (2) This action is **DISMISSED**.

Dated this 8th day of December, 2014.

  
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BENJAMIN H. SETTLE  
United States District Judge